



ZFW
PATENT
5858-00800 (ZEI 2002/01 US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:
Zeiler et al.

Serial No. 10/635,919

Filed: August 6, 2003

For: IMPLANT PLATE, METHOD AND
ARRANGEMENT FOR THE SEMI OR
TOTALLY AUTOMATIC PRODUCTION
OF IMPLANT PLATES AND THE USE
THEREOF IN SURGICAL AND/OR
ORTHOPAEDIC PROCEDURES

Group Art Unit: 3732
Examiner: Annette R. Reimers

Atty. Dkt. No. 5858-00800

I hereby certify that this correspondence is being transmitted
via facsimile or deposited with the U.S. Postal Service as First
Class Mail in an envelope addressed to: Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313, on the date indicated
below:

9/27/2005
Date

Kevin L. Daffer

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

Applicant requests consideration of the references listed on the attached Form PTO-1449 and/or the additional information identified below in paragraph 3. Pursuant to the revisions made to 37 CFR 1.98, copies are only provided for any foreign or non-patent art.

1. This Information Disclosure Statement is submitted:

- a. within 3 months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
 within 3 months of the date of entry of the national stage as set forth in § 1.491 in an International application;
 before the mailing date of a first Office Action on the merits; or
 before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- b. after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus: the certification of paragraph 2 below is provided, or a fee of \$180.00 is enclosed.
- c. after the mailing date of a final Office Action or a Notice of Allowance and prior to payment of the issue fee, and thus: the certification of paragraph 2 below is provided and a fee of \$180.00 is enclosed.

10/03/2005 RFEKADU1 00000017 503268 10635919

01 FC:1806 180.00 DA

2. It is hereby certified:

that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or

that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in § 1.56 (c) more than three months prior to the filing of the Statement.

3. Consideration of the following additional information (including any co-pending or abandoned U.S. applications, prior uses and/or sales, etc.) is requested:

4. For each non-English language reference listed on the attached Form PTO-1449:

reference is made to an English language translation submitted herewith, and/or

reference is made to a foreign patent office search report (in the English language) submitted herewith, and/or

reference is made to an English language translation of a foreign patent office search report submitted herewith, and/or

reference is made to the concise explanation contained in the specification of the present application at page(s) _____, and/or

reference is made to the concise explanation set forth below:

5. Applicant also offers the following comments for the Examiner's consideration:

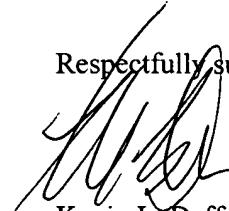
6. Also enclosed is a copy of a foreign search report citing these references.

7. The listed documents were brought to the attention of the Applicant(s) after payment of the issue fee in the captioned case. The documents were cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. Applicant(s) request this Information Disclosure Statement and attached Form PTO-1449 be placed in the file of the captioned application.

8. Applicant(s) requests that the Information Disclosure Statement and attached Form PTO-1449 and references, which are being filed before the grant of the patent and pursuant to 37 C.F.R. § 1.97(i), be placed in the file of the captioned application.

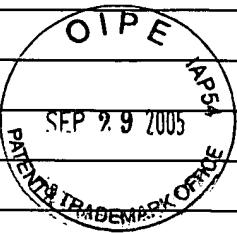
The Commissioner is authorized to charge said fees to Daffer McDaniel, LLP deposit account number 50-3268/5858-00800.

Respectfully submitted,



Kevin L. Daffer
Reg. No. 34,146
Attorney for Applicant(s)

Daffer McDaniel, LLP
P. O. Box 684908
Austin, Texas 78768-4908
(512) 476-1400
Date: September 27, 2005

| Form PTO-1449 (modified) List of Patents and Publications For Applicant's Information Disclosure Statement (Use several sheets if necessary) | | | ATTY. DKT. NO. 5858-00800 APPLICANT: Zeiler et al. FILING DATE: August 6, 2003 | | | SERIAL NO. 10/635,919 GROUP: 3732 | | |
|---|-----------|--|--|---------|-------|--------------------------------------|----------------------------|--|
| U.S. PATENT DOCUMENTS | | | | | | | | |
| EXAM. INITIALS | REF. DES. | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRIATE | |
| | |  | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| U.S. PATENT APPLICATION DOCUMENTS | | | | | | | | |
| EXAM. INITIALS | REF. DES. | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRIATE | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| FOREIGN PATENT DOCUMENTS | | | | | | | | |
| EXAM. INITIALS | REF. DES. | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB CLASS | TRANSLATION YES/NO | |
| | A1 | 197 50 493 | 6/1999 | DE | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | | | | |
| | A2 | Stratec and Mathys, presentation regarding PHILOS-Proximal Humerus Internal Locked System, Southampton meeting April 2000, 30 pages. | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.